

CONTRACT #2
RFS # 359.62-032-06

**Department of Children's
Services**

VENDOR:
Vanderbilt University

REQUEST: NON-COMPETITIVE AMENDMENT

FAC

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MAR 03 2006

FISCAL REVIEW

APPROVED

Commissioner of Finance & Administration

Date:

EACH REQUEST ITEM BELOW MUST BE DETAILED OR ADDRESSED AS REQUIRED.

1) RFS # 359.62-032-06

2) State Agency Name : Department of Children's Services

EXISTING CONTRACT INFORMATION

3) Service Caption : Therapy Services – Group and Individual Treatment at Woodland Hills and New Visions Youth Development Centers

4) Contractor : Vanderbilt University

5) Contract # FA-06-16490

6) Contract Start Date : July 1, 2005

7) Current Contract End Date IF all Options to Extend the Contract are Exercised : June 30, 20108) Current Total Maximum Cost IF all Options to Extend the Contract are Exercised : \$1,020,000.00

PROPOSED AMENDMENT INFORMATION

9) Proposed Amendment # One10) Proposed Amendment Effective Date : April 1, 2006
(attached explanation required if date is < 60 days after F&A receipt)11) Proposed Contract End Date IF all Options to Extend the Contract are Exercised : June 30, 201012) Proposed Total Maximum Cost IF all Options to Extend the Contract are Exercised : \$1,031,000.0013) Approval Criteria : (select one) ☒ use of Non-Competitive Negotiation is in the best interest of the state☐ only one uniquely qualified service provider able to provide the service

14) Description of the Proposed Amendment Effects & Any Additional Service :

The amendment increases the FY 2006 liability by eleven thousand (\$11,000.00) for group and individual treatment services at New Visions Youth Development Center. The increased liability will pay for projected service levels through the end of Fiscal Year 2006.

15) Explanation of Need for the Proposed Amendment :

The DCS facility, NPYDC, is facing the probability that its student population will double from the present number of twelve female student residents to twenty-four by June 30, 2006. The amended increase will cover the treatment service costs for those students associated with this increase.

16) Name & Address of Contractor's Current Principal Owner(s) :
(not required if proposed contractor is a state education institution)

Vanderbilt University
Department of Psychiatry
1500 21st Avenue South Ste 2200
Nashville, Tennessee 37212

17) Documentation of Office for Information Resources Endorsement :
(required only if the subject service involves information technology)

select one:



Documentation Not Applicable to this Request



Documentation Attached to this Request

18) Documentation of Department of Personnel Endorsement :
(required only if the subject service involves training for state employees)

select one:



Documentation Not Applicable to this Request



Documentation Attached to this Request

19) Documentation of State Architect Endorsement :
(required only if the subject service involves construction or real property related services)

select one:



Documentation Not Applicable to this Request



Documentation Attached to this Request

20) Description of Procuring Agency Efforts to Identify Reasonable, Competitive, Procurement Alternatives :

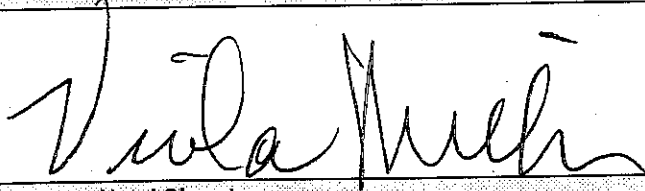
Procurement alternatives have not been attempted as this vendor is the current contractor having won the contract through a competitive procurement.

21) Justification for the Proposed Non-Competitive Amendment :

The services provided under this contract are required services and must be available to students at both NPYDC and WHYDC.

REQUESTING AGENCY HEAD SIGNATURE & DATE :

(must be signed & dated by the ACTUAL procuring agency head as detailed on the Signature Certification on file with OCR—signature by an authorized signatory will be accepted only in documented exigent circumstances)



Agency Head Signature

Date

Explanatory Note Regarding: Request submitted to F&A in less than 60 days.

The initial budget for the New Visions YDC facility could not be determined with accuracy at the outset of FY 2006. Recently, the DCS Contracts Section began efforts to amend certain professional services contracts at the NVDYDC and WHYDC facilities that needed adjusting due to greater than expected utilization rates. However, while engaged in the process we were also made aware that NVDYDC was expecting an increase in the student population, which would require amendments of additional contracts as well as those on which work had already begun. Rather than repeat the amendment process for these contracts so closely together, a request was made for NVDYDC and WHYDC to review all service contracts in relation to the utilization rates and population increases and then provide the final amounts for FY 2006 of each contract needing an amendment. DCS needs to obtain approval of these amendments as quickly as possible to ensure that adequate funds remain available. Consequently, we are requesting immediate approval to aid in ensuring our ability to provide uninterrupted payment for services delivered.

Your assistance is greatly appreciated.

**AMENDMENT ONE
TO CONTRACT FA-06-16490
BETWEEN THE STATE OF TENNESSEE
DEPARTMENT OF CHILDREN SERVICES
WOODLAND HILLS AND NEW VISIONS
YOUTH DEVELOPMENT CENTERS
AND
VANDERBILT UNIVERSITY**

This Contract, by and between the State of Tennessee, Department of Children Services (DCS), Woodland Hills Youth Development Center, hereinafter referred to as the "State" and Vanderbilt University, hereinafter referred to as the "Contractor", is hereby amended as follows:

1. Delete Section C.1. in its entirety and insert the following in its place:

C.1. Maximum Liability. In no event shall the maximum liability of the State under this Contract exceed one million, twenty thousand dollars (1,031,000.00). The annual liability for fiscal year 2006 shall not exceed two hundred and fifteen thousand dollars (\$215,000.00). The annual liability for fiscal years 2007 thru 2010 shall not exceed eight hundred and sixteen thousand dollars (\$204,000.00) per fiscal year. The Payment Rates in Section C.3 shall constitute the entire compensation due the Contractor for the Service and all of the Contractor's obligations hereunder regardless of the difficulty, materials or equipment required. The Payment Rates include, but are not limited to, all applicable taxes, fees, overheads, and all other direct and indirect costs incurred or to be incurred by the Contractor.

The Contractor is not entitled to be paid the maximum liability for any period under the Contract or any extensions of the Contract for work not requested by the State. The maximum liability represents available funds for payment to the Contractor and does not guarantee payment of any such funds to the Contractor under this Contract unless the State requests work and the Contractor performs said work. In which case, the Contractor shall be paid in accordance with the Payment Rates detailed in Section C.3. The State is under no obligation to request work from the Contractor in any specific dollar amounts or to request any work at all from the Contractor during any period of this Contract.

The other terms and conditions of this Contract not amended hereby shall remain in full force and effect.

IN WITNESS WHEREOF:

Vanderbilt University:

Thomas Catron, PH.D

Thomas Catron, PH.D

Department of Children's Services:

Viola P. Miller, Commissioner

Viola P. Miller, Commissioner

APPROVED:

DEPARTMENT OF FINANCE AND ADMINISTRATION:

M. D. Goetz, Jr., Commissioner

M. D. Goetz, Jr., Commissioner

DEPARTMENT OF PERSONNEL:

Nat E. Johnson, Acting Commissioner

Nat E. Johnson, Acting Commissioner

COMPTROLLER OF THE TREASURY:

John G. Morgan, Comptroller of the Treasury

**FAX TRANSMITTAL**

TO : Dr. Lynn Goodman, Director
Employee Development & EEO **FAX # 532-0726**

FROM : Steven Barlar, Program Director
DCS Contracts Section **FAX # 244-8969**

DATE : February 28, 2006

RFS # 359.62-032-06

RE : Procurement Endorsement — Amendment One to FA-06-16490, with
Vanderbilt University.

NUMBER OF FAX PAGES (including cover) : 4

The nature and scope of service detailed in the attached service procurement document(s) appears to require Department of Personnel (DOP) review and support, because the procurement involves training of state employees.

This communication seeks to ensure that DOP is aware of the procurement and has an opportunity to review the matter. Please determine whether DOP is supportive of the procurement. If you have any questions or concerns about this matter, please call Steven Barlar at 615-532-2457. *DOP does not provide this training*

Accompanying Document(s)

See Summary Sheet indicating the current annual and total maximum liabilities, and pages 1-2 for the complete Scope of Services, (see A.2.e. for staff training item) of the Initial Contract copy of FA-06-16490.

Note: We are developing Amendment #1 to FA-06-16490 which requests an increase in the contract's maximum liability for FY 2006 in the amount of \$11,000.00. This increase is necessary due to the New Visions YDC student population being doubled from twelve to twenty-four. No other changes are being made to the contract except the maximum liability. Please let me know if you need further information or assistance in any way.

We are requesting immediate review and approval as DCS is striving to expedite several amendments that are necessary due to unexpected increases in service needs at Woodland Hills YDC and the doubling of the student resident population at New Visions YDC. Please indicate below your response to this proposed procurement, and return this communication at your earliest convenience (note the return FAX number above).

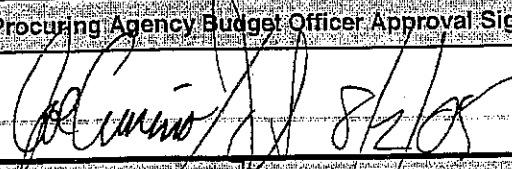
Thanks for your assistance

Department of Personnel Endorsement :

Lynn Goodman

2-28-06

DOP Director of Employee Development & EEO Signature & Date

RFS Number: 359.62-032		Contract Number: FA-06-16490-00	
State Agency: Department of Children's Services		Division: Contracts Administration	
Contractor:		Contractor Identification Number:	
Vanderbilt University		<input checked="" type="checkbox"/> V- 620476822-07 <input type="checkbox"/> C-	
Service Description:			
Therapy Services Group and Individual			
Contract Begin Date:		Contract End Date:	
July 1, 2005		June 30, 2010	
Allotment Code:	Cost Center:	Object Code:	Fund:
Sup	550		
		<input type="checkbox"/> on STARS	
FY	State Funds	Federal Funds	Total Contract Amount (including ALL amendments)
2006	\$204,000.00		\$204,000.00
2007	\$204,000.00		\$204,000.00
2008	\$204,000.00		\$204,000.00
2009	\$204,000.00		\$204,000.00
2010	\$204,000.00		\$204,000.00
Total:	1,020,000.00		\$1,020,000.00
CFDA #		Check the box ONLY if the answer is YES:	
State Fiscal Contact		Is the Contractor a SUBRECIPIENT? (per OMB A-133)	
Name: Joe Cimino		Is the Contractor a VENDOR? (per OMB A-133) <input checked="" type="checkbox"/>	
Address: 7 th Floor Cordell Hull Bldg Nashville, TN 37243		Is the Fiscal Year Funding STRICTLY LIMITED? <input checked="" type="checkbox"/>	
Phone: 615-741-8304		Is the Contractor on STARS? <input checked="" type="checkbox"/>	
Procuring Agency Budget Officer Approval Signature		Is the Contractor's FORM W-9 ATTACHED?	
		Is the Contractor's Form W-9 Filed with Accounts? <input checked="" type="checkbox"/>	
COMPLETE FOR ALL AMENDMENTS (only)		Funding Certification	
	Base Contract & Prior Amendments	This Amendment ONLY	Pursuant to T.C.A., Section 9-6-113, I, M. D. Goetz, Jr., Commissioner of Finance and Administration, do hereby certify that there is a balance in the appropriation from which this obligation is required to be paid that is not otherwise encumbered to pay obligations previously incurred.
END DATE →			
FY:			
FY:			
FY:			
FY:			
FY:			
Total:			

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 COMPTROLLER'S OFFICE
 OFFICE OF
 MANAGEMENT SERVICES

SEP 23 2005

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STATE OF TENNESSEE

FAX TRANSMITTAL

TO:	Lynn Goodman, Director of Employee Development & EEO	FAX # 532-0728
FROM:	Steven Barlar, Program Director, DCS Contracts Review	FAX # 244-8969
DATE:	DATE: February 15, 2005	
RFS#	359.62-032	
RE:	DOP Procurement Endorsement Documentation for — Group and Individual Treatment at Woodland Hills Youth Development Center	

NUMBER OF FAX PAGES (INCLUDING COVER): (4)

The proposed, service procurement documents referenced above are hereby forwarded to the Department of Personnel (DOP) for review. The subject scope of services appears to include state employee training (not pursuant to an information technology procurement).

This communication seeks to ensure that DOP is aware of the procurement and has an opportunity to review the matter to determine whether DOP is supportive. Please indicate DOP endorsement of the procurement described by signature below and return this communication at your earliest convenience (note the return FAX number above).

If you have any questions or concerns about this matter, please call Steven Barlar at 615-532-2457.

Thank you for your help.

See Attachment

DOP ENDORSES THE SUBJECT PROCUREMENT REQUEST

[Signature] *[Signature]*
 Department of Personnel Date

REQUEST: ALTERNATIVE PROCUREMENT METHOD

APPROVED

Comptroller of the Treasury

Date: 3-8-05

APPROVED w/ the deletion noted on page 2

Commissioner of Finance & Administration

Date: FEB 25 2005

Note: Comptroller approval is required for an Alternative Competitive process that will result in a contract requiring the approval of the Comptroller.

Each of the request items below indicates specific information that must be individually detailed or addressed as required. A REQUEST CAN NOT BE CONSIDERED IF INFORMATION PROVIDED IS INCOMPLETE, NON-RESPONSIVE, OR DOES NOT CLEARLY ADDRESS EACH OF THE REQUIREMENTS INDIVIDUALLY AS REQUIRED.

RFS # 359.62-032

STATE AGENCY NAME: Department of Children's Services

SERVICE CAPTION: Group and Individual Counseling Services

CONTRACT START DATE: July 1, 2005
(if date is < 60 days after F&A receipt, attach required explanation)

LATEST POSSIBLE END DATE: June 30, 2010
(including ALL options to extend)

TOTAL MAXIMUM COST: \$1,020,000.00 (for five year term)
(including ALL options to extend)

ADDITIONAL REQUIRED REQUEST DETAILS BELOW (address each item immediately following the requirement text)

(1) description of service to be acquired:

Provide gender separate Group and Individual Counseling Services to student residents at Woodland Hills Youth Development Center, (WHYDC) for up to 120 males on the original campus and also 24 female resident students housed in the New Visions facility for females.

(2) justification for using an Alternative Procurement Method rather than an RFP:

The procurement of youth development center Group and Individual Therapy services is not a new or unknown service to this department. Such services in our YDCs are, and have been, a significant component to their array of services and precedes the creation of the DCS in 1996. This service is not temporary in nature, as it is a required service component within the YDC array of services. Consequently, DCS fully understands these services as required within the parameters of this contract.

State law specifies the credentials and qualifications of those individuals capable of providing these services, thus defining for the purposes of procurement, individuals that are minimally qualified to perform these services. Unlike the RFP process, DCS does not need the potential bidder(s) to provide a detail of information that would be required to educate DCS about this service technology or the proposers understanding and capabilities to provide the service. It is hoped that the use of the alternative competitive method, in lieu of the time consuming RFP process, will also remove those potential barriers to bidding that an RFP might generate, and will thus encourage more providers to submit bids

(3) proposed alternative procurement procedures and contractor selection criteria:

1) Identification of Potential Contractors

DCS will identify potential Contractors in the immediate and surrounding area(s) of WHYDC. Potential bidders will be identified through the State Service Provider Registry, professional contacts known to WHYDC staff,

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Office of Contracts Review

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Bid Packets will be sent to each interested vendor. Should the number of potential vendors be limited, bid packets will be sent to all vendors on the list. Should the number of potential vendors identified be significant, DCS will send out a letter of inquiry requesting that they declare an interest in receiving a bid packet. Each prospect will be sent a bid packet and invited to bid in an effort to receive the contract award. Bid packets will contain: instructions detailing the submission of bids; a description of the submission requirements; a copy of the Sample Contract, and a Proposers Bid Sheet.

2) Each bidder must also submit:

- ❖ a brief and complete description of their experience in providing these or similar services outlined in the sample contract's scope of services, including copies of certificates and licenses qualifying them to provide these services;
- ❖ a listing of at least three references with whom the bidder has previously contracted to provide comparable services;
- ❖ a copy of the completed bid sheet containing bids for each service item listed.
- ❖ a description detailing how services are to be provided

2.a. Should the bidder also plan to utilize other individuals to provide services, they will need to submit:

- ❖ a brief and complete description of their experience in providing similar services
- ❖ copies of certificates or licenses for each individual identified other than the bidder.

3) Evaluation of Submitted Bidder Packets:

- 3.a. A team of three DCS employees will review the response documentation from each bidder. In order for a bid to be accepted for further evaluation, the DCS evaluators must determine that a bidder's documentation of qualifications indicates that the bidder would be at least minimally acceptable as a contractor for the given service. The DCS evaluator determinations regarding each bidder will be documented in writing for the procurement file.
- 3.b. A procurement coordinator will review the cost proposal (bid sheet) for each bidder found by evaluators to be at least minimally acceptable. The coordinator will determine if the cost proposal complies with bid packet instructions without qualification and will document in writing any finding to the contrary for the procurement file.
- 3.c. The procurement coordinator will then review all compliant bid sheets. ~~The cost proposal will be evaluated and scored using the same concept as an RFP.~~ The procurement coordinator will then identify the bidder offering the lowest cost to the State and DCS will award the contract (exactly as detailed in the bid packet and drafted in accordance with relevant F & A regulations)

4) Staff Qualifications for these services are as follows:

Therapists must have a Doctoral or Master's Degree in the appropriate discipline(s); Tennessee Licensed Psychologist-Health Service Providers; Licensed Mental Health Professionals with at least a Master's degree; those who are trained and qualified Master's level Mental Health Professionals receiving ongoing clinical supervision from, at a minimum, a Licensed Mental Health Professional; and students who are matriculated in a Masters level mental health training program and are registered for practicum or internship placement and have appropriate and ongoing clinical supervision from a Tennessee Licensed Mental Health Professional.

5) The successful Contractor must be willing to provide the following services:

- ❖ Group Therapy, i.e., (Psychotherapy & Substance Abuse Counseling.)
- ❖ Individual Therapy, i.e., (Psychotherapy & Substance Abuse Counseling.)
- ❖ Mental Health Case and Program Consultation

* Deleted as a condition of approval. FEB 5 2005 2

- ❖ Telephone and On-site Consultation 24 Hour On Call Crisis Intervention
- ❖ On-site Training for WHYDC staff.

(4) documentation of DIR endorsement of the Non-Competitive procurement request :
(required only if the subject service involves information technology)

select one:



Documentation Not Applicable to this Request



Documentation Attached to this Request

(5) documentation of Department of Personnel endorsement of the Non-Competitive procurement request :
(required only if the subject service involves training for state employees)

select one:



Documentation Not Applicable to this Request



Documentation Attached to this Request

AGENCY HEAD REQUEST SIGNATURE:
(signed by the procuring agency head or
authorized signatory)

Viola P. Miller /KWB

SIGNATURE DATE:

2-23-05